

DESOTO COUNTY BOARD OF SUPERVISORS

BOARD MEETING MINUTES

DISTRICT FOUR LEE CALDWELL, PRESIDING

May 5, 2014

A. CALL TO ORDER

The May 5, 2014 meeting of the DeSoto County Board of Supervisors was called to order by Supervisor Lee Caldwell, Board President.

Sheriff Bill Rasco of the DeSoto County Sheriff's Department was present and opened the DeSoto County Board of Supervisors meeting in a regular session to hear all business before the Board of Supervisors. The following officials were present:

Supervisor Jessie Medlin	District 1
Supervisor Mark Gardner	District 2
Supervisor Bill Russell	District 3
Supervisor Lee Caldwell	District 4
Supervisor Harvey Lee	District 5
Sheriff Bill Rasco	Sheriff
W. E. Sluggo Davis	Chancery Clerk
Vanessa Lynchard	County Administrator
Tony Nowak	Board Attorney

B. INVOCATION

DeSoto County IT Director John Mitchell presented the invocation.

C. PLEDGE OF ALLEGIANCE

D. APPROVAL OF APRIL MINUTES

The Board of Supervisors considered the minutes for April as presented.

The official minutes of the Board of Supervisors were read for the month of April 2014.

Supervisor Jessie Medlin said the vote on item number J.1.c on the April 21st minutes should read failed instead of passed.

Board Attorney Tony Nowak said he changed the wording in the motion on item number J.4.b to read, "approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm and to authorize the firm to hire an expert to validate energy numbers and report back to the Board".

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to accept the minutes of the Board of Supervisors for April, 2014, as presented this date with changes to the draft minutes previously submitted. The motion included approving all minutes as presented with those changes pursuant to Section 19-3-27 of the Mississippi Code of 1972, annotated.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit D

E. CITIZENS REMARKS & PRESENTATIONS

Supervisor Lee Caldwell asked if there was anyone present who wished to make remarks or present a presentation. No one came forward.

F. APPROVAL OF AGENDA: ADDITIONS AND DELETIONS

Supervisor Lee Caldwell asked if there was anyone who wished to add or delete items to the Agenda.

1. Supervisor Jessie Medlin requested adding the policy for taking county vehicles home.

Supervisor Medlin said that vehicles can be taken home by county employees if they are on call. He said if the employee takes a vehicle home and is not on call, the IRS is involved and the employee must pay taxes for use of the vehicle for private purposes because it is considered a benefit.

Road Manager Andy Swims said that the employees that take a vehicle home are subject to be called out. Sometimes they go directly to a site instead of going into the office and then driving to the site. There could be a weather event or something that causes a stop sign to be down that needs immediate repair or a limb blocking a road.

Supervisor Bill Russell said he would like to see a list of hourly people who take vehicles home and how many times per year they take the vehicle home.

Supervisor Jessie Medlin said he would like to see a list of both hourly and salaried employees.

Supervisor Mark Gardner asked if they leave the county in a county vehicle. Mr. Swims said generally no. He said they will occasionally go to Memphis to pick up supplies like rip rap.

Mr. Swims said he would provide the list.

2. Supervisor Bill Russell requested adding the following:

a. Record keeping for county related text messages.

Board Attorney Tony Nowak said the Ethics Commission made a decision that text messages regarding public business are considered public records. Per the decision, the County must keep records of text messages relating to the County’s business. This includes text messages on personal cell phones. Mr. Nowak said that emails and text messages are subject to public records requests.

County Administrator Vanessa Lynchard said she would check with IT Director John Mitchell on this issue.

b. The definition of front yards and discussion of parking cars, boats and trailers in yards.

Supervisor Russell said the county does have a definition of a front yard. Planning Director Ted Garrod said people can park on the side yard and still be visible from the street.

Supervisor Russell asked the Board if they were interested in making a recommendation regarding this matter.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to appoint Supervisor Bill Russell and Supervisor Harvey Lee to serve on the committee regarding cars, boats, trailers any other vehicles being parked in yards.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>

Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

3. Board Attorney Tony Nowak requested adding Mr. Steve Pittman regarding a resolution for construction of I-269.

Mr. Steve Pittman appeared before the Board of Supervisors to get approval to adopt the “no protest” resolution for construction of I-269 through DeSoto County and approve \$83 million in bond money and the Clerk to sign the documents.

Mr. Nowak said he did not circulate the resolution prior to the meeting due to the length, but he had the full copy for presentation to the Board

Supervisor Mark Gardner asked if the resolution had been certified and published. Mr. Pittman said yes.

Supervisor Lee Caldwell asked if there was anyone present who was for or against the resolution, or any of the matters addressed by the resolution, including the intent of the County to borrow the funds, and the State to issue the bonds, for the continued construction of I-269 through DeSoto County. No one came forward.

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve the RESOLUTION OF THE BOARD OF SUPERVISORS OF DESOTO COUNTY, MISSISSIPPI FINDING AND DETERMINING THAT THE RESOLUTION OF THE INTENTION OF SAID COUNTY TO AUTHORIZE THE BORROWING OF AN AMOUNT NOT TO EXCEED EIGHTY-THREE MILLION DOLLARS (\$83,000,000) BY ENTERING INTO A LOAN WITH THE MISSISSIPPI DEVELOPMENT BANK WAS DULY PUBLISHED AS REQUIRED BY LAW AND THAT NO WRITTEN PROTEST OR OTHER OBJECTION OF ANY KIND OR CHARACTER AGAINST THE BORROWING OF SAID FUNDS HAS BEEN FILED BY QUALIFIED ELECTORS OF SAID COUNTY; AND AUTHORIZING THE SALE AND ISSUANCE OF MISSISSIPPI DEVELOPMENT BANK SPECIAL OBLIGATION BONDS, SERIES 2014 (DESOTO COUNTY, MISSISSIPPI HIGHWAY CONSTRUCTION PROJECT) IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED EIGHTY-THREE MILLION DOLLARS (\$83,000,000) TO FINANCE CERTAIN CAPITAL PROJECTS, WHICH SHALL CONSIST OF THE DESIGN, RIGHT OF WAY ACQUISITION, CONSTRUCTION, IMPROVEMENT, EXPANSION AND EXTENSION OF U.S. INTERSTATE HIGHWAYS 69/269 EASTWARD FROM U.S. INTERSTATE HIGHWAY 55 IN SAID COUNTY TO ITS INTERSECTION WITH U.S. HIGHWAY 78 AT THE DESOTO COUNTY/MARSHALL COUNTY, MISSISSIPPI BOUNDARY LINE OR ANY OTHER HIGHWAY, ROAD AND/OR BRIDGE IMPROVEMENTS IN SAID COUNTY, TOGETHER WITH RELATED IMPROVEMENTS AND INFRASTRUCTURE; AND AUTHORIZING AND APPROVING THE FORM OF AND EXECUTION OF CERTAIN BOND AND LOAN DOCUMENTS, AS DEFINED HEREIN; AND FOR RELATED PURPOSES, and to authorize the President and Clerk to sign the resolution and other documents required for the resolution.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Exhibit F.3

4. Chief Financial Officer Tom Arnold requested that the Board approve a credit card bill for \$156.00 for a hotel room charge for Supervisor Bill Russell that was accidentally omitted from the claims docket.

Chief Financial Officer Tom Arnold requested that the board approve a credit card bill for \$156.00 for

a hotel room charge for Supervisor Bill Russell that was accidentally omitted from the claims docket.

Supervisor Harvey Lee made the motion and Supervisor mark Gardner seconded the motion to approve paying \$156.00 for a hotel room charge for Supervisor Bill Russell’s credit card that was omitted from the claims docket in error.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F.4

5. Assistant County Engineer Scott Young requested adding this item to the Agenda as New Business: Road Department - Bids Under Advisement: Hot Asphalt Overlay Project

Mr. Young said this is 10% higher than last year and there were two bidders on this project. Mr. Young said that Lehman-Roberts is the lowest and best bid.

Supervisor Mark Gardner asked if that increase is normal. Mr. Young said this is a good price but fuel costs have probably caused it to increase. Supervisor Gardner asked if it would require a budget amendment. Road Manager Andy Swims said the money is in the budget.

Supervisor Jessie Medlin clarified the last two items. Mr. Young said that Lehman Roberts contracts the milling and APAC has a milling machine. Mr. Young said that the Road Department did not need much milling work at this time but they wanted to get approval instead of having to rebid if the need arises.

Supervisor Lee Caldwell made the motion and Supervisor Harvey Lee seconded the motion to approve Lehman-Roberts Co. as the lowest and best bid for the 2014 hot asphalt overlay project in relation to bid number 14-156-023 as fully detailed in Exhibit F.5.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F.5

6. Supervisor Mark Gardner requested adding travel to NACO.

Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve travel for the Board of Supervisors and County employees, including but not limited to the County Administrator, Road Manager and Board Attorney to the NACO Convention on July 11 - 14, 2014, in New Orleans, LA, and to authorize travel expenses including but not limited to hotels, transportation, food and other associated travel expenses.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

7. Road Manager Andy Swims requested adding an update regarding the Hernando Park Road leading to the soccer field.

Mr. Swims said the dirt is in more of a valley than they thought. He said they have been trying to take out wet dirt and place it somewhere else and they are still analyzing to see how much dirt they have to bring into the site. Mr. Swims said that Trey Construction said it would be more economical for the county to allow them to move the dirt from the field to the road site. He said they would make approximately five loads an hour at an average of fifteen cubic yards per load. If there is 3000 cubic yards to be moved, it would take about 5 days to move all of the dirt and it would not have to be handled twice. Mr. Swims said this is a savings for the county and it is a good price.

Mr. Swims presented the estimate from Trey Construction as follows:

Mobilization:	\$ 500.00
Tractor & Pan	\$ 175.00/hour operated & fuel
Clean-Up	\$ 700.00

If there is 3000 cubic yards to move and they moved the dirt to the drop location, the approximate cost would be as follows:

Mob	\$ 500.00
Tractor & Pan	\$8750.00 (5 days of hauling)
Clean-Up	<u>\$ 700.00</u>
Approximate Total	\$9,950.00

Mr. Young said Trey Construction would be responsible for seeding and fertilizing.

Supervisor Jessie Medlin asked about mobilization. Mr. Swims said it is usually for clean-up of equipment. He said the bottom line price looks good. In comparison, purchasing the same quantity of dirt from the vendors approved on the County’s current term bid would cost \$15,000, and this did not include the hauling.

Supervisor Mark Gardner asked the cost per cubic foot. Mr. Swims said \$500.00. He said it is also a win situation for them because they are not charging for dirt. Mr. Swims said he had also talked to Hernando Mayor Chip Johnson because the dirt belongs to the City of Hernando. Mr. Swims said there is \$170,000 allocated and the Road Department will perform in-kind work.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve paying Trey Construction to move the dirt required for work on Hernando Park Road leading to the Soccer Field as detailed in Exhibit F.7, finding this to be the lowest and best option after comparing the costs presented in the County’s current term bid for dirt and gravel. The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>NO</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit F.7

8. Supervisor Lee Caldwell requested adding the Purchase of Canopy Tent.

Supervisor Lee Caldwell said the county needs to purchase a canopy tent to protect people from the weather when participating in public events. It could be used at such events as the Earth Day and the Ozone Action Committee. Supervisor Caldwell said he would also like for it to have DeSoto County on it and not to exceed \$200.00. The tent would help advertise the County and its participation in the events.

Supervisor Bill Russell made the motion and Supervisor Jessie Medlin seconded the motion to approve purchasing a canopy ten to use during events and to have DeSoto County written on it.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

9. Supervisor Mark Gardner requested adding the reappointment of Warren Richardson as the At Large appointee to the CVB

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to reappoint Warren Richardson as the at large appointee to the CVB.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Agenda with the additions set forth above.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

G. CONSENT AGENDA

The Board of Supervisors considered the following items on the meeting’s Consent Agenda.

Supervisor Harvey Lee asked if the MOU was for the soccer field. Ms. Swims said yes.

Supervisor Jessie Medlin asked why the signs for scenic by-ways are in conjunction with MDOT. Mr. Swims said they are both providing the signs. The county is providing five small signs and MDOT is providing two large signs.

Supervisor Mark Gardner made the motion and Supervisor Bill Russell seconded the motion to approve the Consent Agenda as follows:

1. Dept. of Human Resources: Monthly Health Claims

The following is a recap of all insurance claims funded for the month of November and paid to Humana:

Funding Request	Date Paid	Amount	Claim Type
Date			
4/1/14	4/2/14	\$84,473.92	Administration Fees
4/7/14	4/8/14	\$83,922.69	Medical
4/7/14	4/8/14	\$9,373.00	Dental
4/7/14	4/8/14	\$15,476.67	Pharmacy

4/14/14	4/15/14	\$89,082.83	Medical
4/14/14	4/15/14	\$8,897.35	Dental
4/14/14	4/15/14	\$13,070.09	Pharmacy
4/21/14	4/23/14	\$46,809.18	Medical
4/21/14	4/23/14	\$2,995.76	Dental
4/21/14	4/23/14	\$12,284.38	Pharmacy
4/28/14	4/29/14	\$31,843.79	Medical
4/28/14	4/29/14	\$6,961.96	Dental
4/28/14	4/29/14	\$18,377.15	Pharmacy
	TOTAL	\$423,568.77	

2. Justice Court Report

Criminal Cases Filed	209
Civil Cases Filed	450
Traffic Tickets Filed	962
Total Cases Filed	1,621
State Assessments	\$78,865.75
County General Fund	\$102,057.99
Total Collections	\$180,844.74

Bailiff Pay

Liz Medlin	\$285.00
Bobby Holloway	\$205.00
Brandon Hylander	\$205.00
Lee Hodge	\$230.00

3. Publication of Board Proceedings

4. Office of Finance & Accounting

a. Budget Amendments

b. Request to Repay Interfund Loans

Approval is needed for the following interfund loans to be repaid. The funds are now available for repayment of these loans.

From:	2009 MDB Bonds I&S Fund	\$	670,000.00	(226-000-149)
From:	2010 Refunding Bonds I&S Fund	\$	756,400.00	(227-000-149)
From:	2010 5 Million Bonds I&S Fund	\$	402,381.14	(228-000-149)
From:	2012 Refunding Bonds I&S Fund	\$	750.00	(229-000-149)
To:	General County Fund	\$	1,829,531.14	(001-000-054)

c. Inventory Dispositions: Final & Final / Preliminary

1) Chancery Court – Final

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
34827	HP COMPAQ DESKTOP PC	SMXL625027D	MOTHERBOARD ISSUE/OUTDATED/COST TOO MUCH TO FIX	06	4H	Chancery Land Records	02/03/04	CINDY CAMYRE	E-WASTE
34801	XEROX 252 SCANNER	547TW105BK2 5140000	PROBLEMS FEEDING PAPER/ROLLERS IR-REPLACEABLE	06	8H	Chancery Land Records	"	"	"
34802	XEROX 252 SCANNER	603TW1061K2 S140036	PROBLEMS FEEDING PAPER/ROLLERS IR-REPLACEABLE	06	8H	Chancery Land Records	"	"	"

2) Chancery Land – Final

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSED OF BY	FINAL DISPOSAL LOCATION
35597	XEROX 252 SCANNER	1300446	PROBLEMS FEEDING PAPER/ROLLERS IR-REPLACEABLE	04	8H	Chancery Land Records	02/03/14	CINDY CAMYRE	E-WASTE

3) Road Department – Preliminary / Final

ASSET #	DESCRIPTION	N I T	SERIAL #	ISSUE/REASON FOR DISPOSAL	R A C Q	C O S T	LOCATION AT PRELIMINARY	PRELIMINARY APPROVAL DATE	DISPOSE D OF BY	FINAL DISPOSAL LOCATION
36008	JD TRACTOR WITH CUTTER	713	LO6430H582887	HOURS OF SERIVICE 2630 / REQUEST TO BE DECLARED SURPLUS FOR AUCTION	08	64k	ROAD DEPT	09/10/14	KEITH PEARSON	CRENSHAW AUCTION

5. Establish as Part of the Formal Record and Enter into the Board’s Minutes

a. MOU with Hernando for Construction of Soccer Field Road

b. Transfer of Greenbrook Water Tower Park to the City of Southaven

6. Procurement Log

Date Out	Time Out	Time In	Vendor	Department	Employee	Description of Purchase	TOTAL RECEIPT	Issues, if any	
3/13/2014	9:00	9:15	GoDaddy	IT	John Mitchel	assistance installing SSL certificate on exchange server (over phone)	\$ 79.99	None	

7. Sheriff’s Dept.: Request Authorization for the Board President to Sign Inmate Reimbursement Report

8. Road Department

a. Road Report b. Work Schedule c. Road Bond Report

d. School Bus Turnarounds

1) 3951 Baldwin Rd., Lake Cormorant, Bus # 3854, Owner - George Hitt

2) 4747 Nail Road, Horn Lake, Bust # 181, Owner - Janice Hayes

9. Ad Valorem Taxation Exemptions – Make Final Approval from State Tax Commission Part of the Minutes (5)

1) Creedence Holdings LLC dba West Coast Novelty

2) Mississippi Recycling Services, Inc.

3) Stylecraft Home Corporation, Inc.,

4) Crossroads G/Industrial Developments International, Inc.,

5) GENCO I, Inc.

10. Amended Constable Annual Financial Report: Lena E. Medlin

11. Chancery Clerk Allowance (1) \$1,300.00

12. County Court – Youth Court Division: Appointment Part-time Intake Workers: Kristen Gilbert Goode effective May 15, 2014

13. Appointment: Horn Lake Creek Basin Interceptor Sewer District - Reappoint Charles M. Davis

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit G

H. NEW BUSINESS

1. Department of Human Resources: Humana Agreements

a. PPO Plan Summary of Benefits & Coverage Document Authorization & SBC Document

b. Amendment to Stop-Loss Policy

c. Dental Plan Summary Plan Description Authorization and SPD Document

d. PPO Summary Plan Description Authorization and SPD Document

e. Reference Document: 2014 Pricing Proposal, Renewal Rates

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion to approve the Humana agreements as presented and to authorize the Board President to sign the documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.1

2. Earth Day Presentation

a. Exhibitors / Sponsors

Director of Administrative Services Pat McLeod said she wanted to give the Board an update on the work that took place behind the scenes in preparing for Earth Day.

Ms. McLeod said there was a total of 10 meetings with the highest attendance of 16 people and one representative from each city attending meetings and preparing for Earth Day. She said there were 54 exhibitors this year and they were very excited that it is more than last year. She presented the list of sponsors and said this event could not have happened without their generosity.

Ms. McLeod thanked Supervisor Lee Caldwell. She said that Supervisor Caldwell worked with the schools and provided contests for kids that were age appropriate. She said that Supervisor Caldwell also disbursed Earth Day information through the schools and it was a huge help as well.

Ms. McLeod thanked the food committee and all of the sponsors as listed in the handout.

Ms. McLeod said that her Administrative Assistant Angie Irving, followed up with all of the exhibitors from start to finish. She said that Angie did a great job attending the meetings, taking notes and making sure everyone knew their responsibilities. Ms. McLeod thanked Angie for all of her hard work.

Ms. McLeod thanked another one of her Administrative Assistants, Robin Lambert. She said that Robin too attended meetings and helped to make sure everything happened successfully. Ms. McLeod thanked Robin for contacting the vendors through email and for taking on the DeSoto County Ozone Action Program booth. She did such a good job.

Ms. McLeod also thanked Administrative Assistant Jeannie Colvin for keeping the office running smoothly and efficiently during the flurry of activity related to Earth Day.

Ms. McLeod also thanked Ray Laughter, Matt Hanks and Gia Matheny for all of their hard work. They helped in setting up the event and the booths and Pat said she truly appreciated their help.

See Exhibit H.2.a

b. Cache In Trash Out

c. Environmental Services

Environmental Services Manager Ray Laughter thanked the Board of Supervisors for their support and the press. He said the press is always very good to us and he appreciated it. Mr. Laughter also thanked the GIS Director Matt Hanks for his help.

Mr. Laughter said, from their last count, there were approximately 2,000 attendees; that is the most we have ever had in attendance and that is very good. Mr. Laughter said there were 26 sponsors and 56 exhibitors.

Mr. Laughter said he wanted to give a special thanks to the Sheriff and the trustys for their help. He said they were there at 7:00 a.m. and ready to work and did an excellent job.

Mr. Laughter showed pictures of the event, including exhibitors, Waste Connection, Mississippi Recycling and many more. He said that Supervisor Caldwell was very instrumental in the process for the contests and he thanked her for all of her help. Mr. Laughter said that Horn Lake Middle School had the most participation. It also included Home Schools.

Mr. Hanks said this year we really wanted to make a difference. This is the first year for Cache in Trash Out and Joy Anderson and Scott Trapolino coordinated and put it to the schools, civic groups, and other organizations. Mr. Hanks said, since this was the first year for this effort, we did not expect such a tremendous response. He said they had 50 volunteers who went to county parks to clean up and then separated recyclable materials from trash. He said some people who helped already enjoyed geocaching and others were excited to help as well. The supporters included: Hernando Skate Club, Cub Scouts, Girl Scouts, and the Southaven High School Environmentalist Club.

Mr. Hanks said the groups took the GPS unit with them and took before and after pictures of the areas they cleaned up. He also has pictures of areas they could not get to clean up.

The Southaven High School Environmentalist Club went to Hernando DeSoto Park and the volunteers didn't know it was a park. They asked why it was in that condition. Mr. Hanks told them it was still in its infancy, a work in progress. They did a very good job.

Mr. Hanks said he also took pictures of recyclables. He said between Mississippi Recycling and Waste Connections, 1,000 pounds of recyclables were collected.

Mr. Hanks also thanked Environmental Manager Ray Laughter and Parks and Greenways Coordinator Larry Jarrett for helping and taking pictures during the Earth Day Event.

Supervisor Lee Caldwell said air quality was introduced to students.

Mr. Laughter said it was a very good event and the recap meeting will be May 14th. He said next year we will celebrate 5 years of DeSoto County celebrating Earth Day and we want it to be a big celebration.

Mr. Hanks said that Mr. Trapolino could not attend the Board Meeting because he was deployed to

Louisville, MS due to the tornado damage. He said that Mr. Trapolino is on the North Mississippi Task Force and he is making maps for FEMA to help assess the damage.

Supervisor Mark Gardner asked Mr. Hanks to tell Mr. Trapolino that we appreciate his work with the Task Force.

See Exhibit H.2.b.c

**3. Environmental Services: Environmental Services - Enforcement: PUBLIC HEARING
3770 Byhalia Rd Hernando MS 38632 Parcel# 2 07 8 34 00 0 Lot 00029 00 2nd cut and clean-up
of property Mississippi Code Section 19-5-105 Litter Ordinance Violation Hearing**

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to open the Public Hearing regarding property at 3770 Byhalia Road, Hernando, MS parcel # 2 07 8 34 00 0 Lot 00029 00 2nd cut and clean-up of property

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

Environmental Services Manager Ray Laughter said this property was sold at the tax sale and was posted Sept., 2013. This is the first year of the tax sale.

Supervisor Mark Gardner asked if the county had to maintain for two more years. Mr. Laughter said yes. Supervisor Gardner asked if they have talked to anyone about this property. Mr. Laughter said he has talked to the Bank of America and One Main Financial, but they do not want to do anything with the property. He said that Mr. Wright and Mr. Howell in Environmental Services have talked to both of the Banks without success.

Supervisor Gardner asked if the fee to cut it is \$600 each time. Mr. Laughter said yes; this will be the second time the County has cleaned and cut the property. County Administrator Vanessa Lynchard asked if it would be beneficial to spray it for weed control; weeds grow quicker than grass.

Supervisor Bill Russell asked if the Board could take them to court.

Board Attorney Tony Nowak said it would probably cost more to take them to court than to cut the grass. The county might be able to get an injunction against them that is expensive.

Supervisor Jessie Medlin asked about how much of the property has to be cut. Mr. Laughter said about one acre.

Supervisor Gardner asked about how many more cuttings it will need before fall. Mr. Laughter said about three.

Supervisor Gardner asked the cost of the property taxes. Mr. Laughter said \$545 yearly. Mr. Nowak said the Board would eventually recoup the money.

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to accept the recommendation of the Code Enforcement Officer finding that the property located at 3770 Byhalia Road, Hernando, MS Parcel # 2 07 8 34 00 0 Lot 00029 00 is in such a state of uncleanliness to be a menace to the public health and safety of the community as outlined in Mississippi code section 19-5-105 and to accept the low bid of \$600.00 to clean the property.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>

Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to close the Public Hearing.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
Supervisor Mark Gardner, Second District YES
Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

See Exhibit H.3

4. Office of Procurement: Request to Extend Inmate Food Supply Bid for Additional 6 Months

Procurement Clerk Pat McLeod presented a request to extend the inmate food supply bid for six months.
Supervisor Mark Gardner asked Sheriff Bill Rasco if he is satisfied with the current food service. Sheriff Rasco said he is very pleased.
Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the request by the Office of Procurement to extend inmate food supply bid for additional 6 months as follows:

Vendor	FOOD CATEGORIES		JANITORIAL CATEGORIES	PRODUCE	MILK (Based on container price)	BREAD (Based on package price)
	Total Bid	Total Less Market Items	Total Bid (2 Categories)	Total Bid (2 Categories)	Total Bid (2 Categories)	Total Bid (2 Categories)
U S Foods	\$ 33,889.57	\$ 28,958.88	\$ 1,235.08	\$ 2,180.66	\$ 12.24	\$ 2.83
Hardins Sysco	\$ 35,625.16	\$ 30,315.97	\$ 1,447.78	\$ 2,070.43	\$ 17.71	\$ 4.84
Ben E Keith Foods	\$ 36,264.42	\$ 31,480.17	\$ 1,387.71	\$ 2,169.62	\$ 12.30	\$ 3.01
Action Chemical			\$ 1,337.48			
Panola Paper			\$ 1,326.77			
Flowers Baking						\$ 1.98
M. Palazola Produce				\$ 2,258.50		
Award:	U S Foods		U S Foods	Reject all bids and continue to quote weekly.	Reject all bids and continue to purchase from current supplier at additional savings.	Flowers Baking
Percentage of Increase/Decrease		12% DECREASE	11% DECREASE			
The Procurement Department, on behalf of the Sheriff recommend awarding this bid as follows for one six month period with the right						
Award all food categories to U S Foods.			First Alternate: Hardins Sysco		Second Alternate: Ben E Keith Foods	
Award U S Foods both janitorial categories.			First Alternate: Panola Paper		Second Alternate: Action Chemical	
Award Flowers Baking the bread category.			First Alternate: Ben E Keith Foods		Second Alternate: Hardins Sysco	

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District YES
Supervisor Mark Gardner, Second District YES
Supervisor Bill Russell, Third District YES
Supervisor Lee Caldwell, Fourth District YES
Supervisor Harvey Lee, Fifth District YES

See Exhibit H.4

5. Office of Finance and Accounting

a. Inventory Control: Preliminary

Inventory Clerk Char McCool presented dispositions for the Board’s consideration as follows:

1) Chancery Land

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
43165	DELL OPTIPLEX 745	946RWC1	NO LONGER POWERS UP / TO COSTLY TO REPAIR	12	2H	CHANCERY STORAGE RM
43904	DELL OPTIPLEX 745	7FDXX81	NO LONGER POWERS UP / TO COSTLY TO REPAIR	13	2H	CHANCERY STORAGE RM

2) IT Department

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
35386	ANSI LUMENS PROJECTOR	AALN42390066	UNIT DOES NOT LIGHT UP / NON-REPAIRABLE - COST EXCEEDS UNIT VALUE	04	17H	INV CLERK OFC

3) Sheriff's Department #1

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
36275	TASER GUN	P4010829	UNIT MALFUNCTIONS / NON-REPAIRABLE DUE TO COST	05	5H	SHERIFF DEPT
33161	TASER GUN	P3176691	UNIT MALFUNCTIONS / NON-REPAIRABLE DUE TO COST	04	4H	SHERIFF DEPT
41610	TOSHIBA TV	AM3980008567	UNIT WILL NO LONGER SHOW PICTURE- ONLY WHITE LINES / NON REPAIRABLE DUE TO COST	11	5H	SHERIFF DEPT
	TV WAS DONATED TO THE DESOTO COUNTY SHERIFF DEPT 09/06/14 FROM SHELBY COUNTY					

4) Sheriff's Department #2

ASSET #	DESCRIPTION	SERIAL #	ISSUE/REASON FOR DISPOSAL	Y R A C Q	C O S T	LOCATION AT PRELIMINARY
38420	FORD 2005 CV	2FAHP71W45X161623	DECLARE AS SURPLUS / AUCTION	08	12K	SO CENTRAL MAINTENANCE
		HIGH MILEAGE: 146702	UNIT REMOVED FROM SVC 01/30/14			
39831	FORD 2007 CV	2FAHP71W27X128171	DECLARE AS SURPLUS / AUCTION	07	13K	SO CENTRAL MAINTENANCE
		HIGH MILEAGE: 167395	UNIT REMOVED FROM SVC 01/30/14			
33185	GMC 2004 ENVOY	1GKDS13SX42256756	DECLARE AS SURPLUS / AUCTION	04	27K	SO CENTRAL MAINTENANCE
		HIGH MILEAGE: 150234 BAD MOTOR	UNIT REMOVED FROM SVC 04/28/14			

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve the preliminary dispositions as presented.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.

b. Claims Docket

Chief Financial Officer Tom Arnold, of the Office of Finance and Accounting, presented the claims docket to the Board. Mr. Arnold read the items on the claims docket individually and the Board discussed these items.

Mr. Arnold said that the Constable's pay will be more on the claims docket since the county will pay the matching portion of the retirement. The Constables will pay less at the end of the year because they pay on the net and not gross pay. Mr. Arnold explained the formula to derive at the proper amount.

Ms. Lynchard said there are only two counties that elected to pay retirement and we are learning on the job as we go through this process. She said we are calculating the retirement as directed by PERS.

Supervisor Jessie Medlin questioned the claim on page 97 to Walls Water. Road Manager Andy Swims said that is for a busted line and we are at fault.

Supervisor Medlin asked about the claim on page 99 for MDOT. Mr. Arnold said this is for travel for Mark Schrock for training seminars in Batesville and Meridian.

Supervisor Medlin asked about the insurance claim from Monroe Pointer Insurance on pages 17 and 19 for the Southaven Health Department. Mr. Arnold said the county pays 60% and Pointer pays the remainder.

Supervisor Lee Caldwell asked about the following claims:

Page 23 – C Spire for Tim Curtis. Mr. Arnold said they charged a disconnect fee when Mr. Curtis left.

Page 59 – Selective Administrative Services. Mr. Arnold said that is for claims for the prisoners in the jail. It is administrative fees for outside doctors and hospitals.

Page 63 – Chickasaw Amateur Radio Assn. Mr. Arnold said those fees are the pro rata share for the Repeater that is used by EMS. It allows EMS to bounce off of that tower.

Page 85 – Mississippi State Fire Academy. Mr. Arnold said that is for the registration fee and training for the Task Force.

Page 90 – County Wide Recreation Account. Supervisor Caldwell asked if this is county wide and are they reimbursing the county. Environmental Services Manager Ray Laughter said yes. He said that he spoke to Mike Duncan and he is resolving questions. Mr. Duncan has all of the bills and will be getting a check to the county. Mr. Laughter said, going forward, the utility bills will come out of the park and recreation fund with no reimbursement.

Supervisor Mark Gardner asked about the following claims:

Page 79 – Country Ford Inc. – Supervisor Gardner asked if this is for a previously approved purchase for trucks. He said he understood that they would trade the old trucks in on the new ones. They will take the place of two Ford F350 trucks used by D.S. Gilbert and Josh Harper.

Mr. Arnold said yes, this is for the trucks. He said they were keeping the old truck as back up.

Ms. Lynchard said she would check on that.

Supervisor Medlin asked if the cost was \$25,033 when the Board approved to purchase the trucks. Mr. Arnold said yes. He said the state contract options are a set price.

Supervisor Mark Gardner asked about the CVB on page 112. Ms. Lynchard said the Department of Revenue believes the CVB had been receiving some of the funds from the City of Southaven tourism taxing district. Thus, prior receipts were inflated. She said they are still working on it.

Ms. Lynchard said she would also check the budget.

In accordance with Section 19-13-31 and Section 19-11-23 of the Mississippi Code Annotated, Supervisor Jessie Medlin made the motion and Supervisor Harvey Lee seconded the motion to authorize the Chancery Clerk to pay the bills as presented by the Chief Financial Officer and to amend the Constables’ amount to meet the new PERS requirements.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

6. County Administrator: Appoint Special Prosecutor Bill Seale

Supervisor Harvey Lee made the motion and Supervisor Mark Gardner seconded the motion to approve appointing Bill Seale as Special Prosecutor for January 9, 2014 and paying him \$100 for the service.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.6

7. Contracts Administration

Director of Administrative Services Pat McLeod said this contract is for vending machines for snacks and beverages. This service obtained through the bid process but the Board Attorney recommended drafting an agreement because money is involved.

Sheriff Bill Rasco asked if this is the same vendor as the jail.

County Administrator Vanessa Lynchard said this is not for the jail. She said we have used this one for many years and their performance has been acceptable.

Sheriff Rasco said he would like to consider using them for the jail. He asked if they reimburse the county for any of the money. Ms. McLeod said they reimburse the county 3% of money received. Ms. McLeod said she would direct the vendor to the Sheriff’s Department.

Supervisor Bill Russell made the motion and Supervisor Mark Gardner seconded the motion to approve the agreement with AAA Vending for beverage vending services as detailed in Exhibit H.7.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.7

8. Panelizer LLC – Dudley Bridgforth

Attorney Dudley Bridgforth said he is asking the Board’s consideration to approve the assignment of a lease on a County facility that is owned by the county and is located at 6995 Highway 161 in Walls,

MS. The current leaseholder with the County is Earl Magdovitz. Mr. Bridgforth said the interested party is Panelizer LLC, a manufacturer from Georgia. Mr. Bridgforth said he has been discussing this matter with Board Attorney Jody Neyman and Supervisor Bill Russell.

The Board discussed the history of the property and the previous leases beginning in 1962. Board Attorney Jody Neyman said that the current leaseholder is Earl Magdovitz who used to run the Imperial Manufacturing plant out of the facility. The plant is no longer operating and Panelizer wishes to assume the lease to commence operating its manufacturing facility on the premises. Mr. Neyman stated that Mr. Magdovitz will need to receive the Board’s permission to assign the lease to Panelizer pursuant to the terms of the lease.

Supervisor Jessie Medlin confirmed that DeSoto County owned the building. Board Attorney Jody Neyman said that is correct. Supervisor Medlin asked how much was the rent. Mr. Neyman said the rent is \$1,500.00 per year or the ad valorem tax, whichever is greater. The property was originally owned by the Magdovitz family. They deeded the land to the County in 1962, and the County procured a government industrial bond to build the building. The County then leased the property back to the Magdovitz family who paid off the principal of the bond and all interest on it as rent. The bond had been refinanced a number of times to improve the building, and the Magdovitz family paid over \$1,700,000.00 on behalf of the County over the years pursuant to the lease. Mr. Neyman then stated that once the bond was paid, Magdovitz would pay the yearly rent or the personal property ad valorem tax, whichever is greater. Mr. Neyman stated that according to the tax records, the plant ceased operating several years ago, and since that time Mr. Magdovitz has been paying the yearly rent. Mr. Neyman said the bonds are paid off and the building has been vacant for a while. Mr. Neyman noted that the lease agreement specifically allows the leaseholder to assign the lease, but it cannot be sold. Mr. Magdovitz’s company is out of business. Supervisor Lee Caldwell asked what type of product Panelizer LLC manufactures. Mr. Bridgforth said they fabricate metal.

Supervisor Medlin asked how many employees they have. Mr. Bridgforth said currently they have 15 employees. They are renovating the building as well. He said there is one tenant and they are asking the county to paint the building.

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion authorizing Earl Magdovitz to assign the lease of the County owned building located at 6995 Highway 161 in Walls, MS, to Panelizer, LLC; DeSoto County to paint the building; and authorize the Board President to sign the resolution authorizing the assignment of the lease and any other related documents.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.8

9. Comcast Franchise Agreement Negotiation Update

Supervisor Mark Gardner said he and County Administrator, Vanessa Lynchard, had a conference call with Otha Brandon with Comcast. Supervisor Gardner said that Board Attorney Tony Nowak participated on part of the call. He said they expressed a lot of issues and concerns regarding Comcast service that the county has heard from constituents. Supervisor Gardner said that federal regulations will not allow a franchise to continue without a current contract. He said this is an opportune time for a Public Hearing as we go through the agreement process. Supervisor Gardner said he has talked to a lot of people and they are very interested in letting Comcast hear from them. Supervisor Gardner said he hopes the people from Comcast will have their customer service people in attendance at the Public Hearing.

Supervisor Jessie Medlin said he wants to make sure the public knows that the Board of Supervisors has nothing to do with Comcast. Comcast pays the County for the right to use public rights of way. Supervisor Medlin said the problem is with Comcast’s customer service.

Supervisor Harvey Lee asked if there is anyone present who uses Comcast; two people raised their hands.

Board Attorney Tony Nowak said that Comcast submitted a form to Ms. Lynchard and she sent it to him. He said that he has submitted numerous questions to Comcast, including concerns regarding the definition of gross revenues.

Supervisor Medlin suggested that Brandon Presley attend the Public Hearing. Supervisor Gardner agreed.

Supervisor Gardner explained that Mr. Presley is responsible for phone services only; he really has no responsibility for cable t.v. service. He said it is still a good idea to invite him to the Public Hearing. Supervisor Mark Gardner made the motion and Supervisor Lee Caldwell seconded the motion to approve holding a Public Hearing at the DeSoto County Courthouse on June 10, 2014, at 6:00 p.m. regarding the Comcast Franchise Agreement.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

10. Road Department: Finding of Fact: 5105 Robertson Gin Road

Road Manager Andy Swims said the heavy rains have washed out a ditch impacting the roadway and he has received complaints from a resident.

Supervisor Harvey Lee made the motion and Supervisor Jessie Medlin seconded the motion to accept the finding of fact and that the conditions at 5105 Robertson Gin Road, Hernando, MS, where poor drainage is affecting the health, safety and welfare of the public; and that it will be necessary to replace the driveway culvert to improve drainage, and protect public roads, at an estimated cost of \$615; in accordance with Mississippi code section 19-5-92, and to authorize the Road Manager to proceed with the work at an estimated cost of \$615.00.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit 10

11. Board Attorney

a. Legislation for Homeowner’s Association

Board Attorney Tony Nowak updated the Board on the legislation for the Homeowner’s Association. Mr. Nowak said this is very new and there were a lot of questions. It could easily take up to three years to be passed. Mr. Nowak said a majority of the states already have this legislation but Mississippi does not.

No motions were made nor votes taken on this item.

b. Legislative Requests – Transfer for Equipment from the Road Department

Mr. Nowak said the bill the County submitted seeking a change in the law to allow the County Road Department to transfer road equipment to other County Departments, without the need for reimbursement, did not pass. Mr. Nowak said he has not heard the reasons why it failed.

c. Industrial Site Study

Supervisor Bill Russell made the motion and Supervisor Lee Caldwell seconded the motion to approve passing a resolution that would allow DeSoto County to partner with MDA to do a study of the costs and feasibility of establishing an industrial park on the west side of the county and to authorize the Board President to sign.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.11.c

d. CVB Appointee District 1

Supervisor Jessie Medlin made the motion and Supervisor Mark Gardner seconded the motion to approve a resolution appointing Michael Hatcher to the DeSoto County Convention and Visitors Bureau for District 1.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.11.d

12. Tax Exemption: Corrected copy for Orgill, Inc.

Supervisor Jessie Medlin made the motion and Supervisor Lee Caldwell seconded the motion to approve an amended resolution on a tax exemption form to show Orgill, Inc. as the applicant for real property taxes and not Covington.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

See Exhibit H.12

I. PLANNING COMMISSION AGENDA

**DESOTO COUNTY BOARD OF SUPERVISORS
ORDER OF ITEMS**

I. Public Hearing

Supervisor Lee made a Motion to open the Public Hearing to consider adoption of an amendment to Chapter 14 of the DeSoto County Zoning Regulation, Subdivision III Flood Hazard Reduction (Flood Plain Management and Flood Damage Prevention); adopting the new Flood Insurance Rate Map (FIRM) and related based flood elevations. Supervisor Gardner seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

1. Ordinance Amendment

- a. Flood Damage Prevention Ordinance 5-5-2014 – The Board of Supervisors will consider adoption of an amendment to Chapter 14 of the DeSoto County Zoning Regulation, Subdivision III Flood Hazard Reduction (Flood Plain Management and Flood Damage Prevention); adopting the new Flood Insurance Rate Map (FIRM) and related based flood elevations.**

Mr. Ted Garrod presented the amendment to Chapter 14 of the DeSoto County Code of Ordinances and the new Flood Insurance Rate Map.

There was discussion of the required elevations under the amended ordinance.

Supervisor Russell asked if the amended ordinance will require roads to be 2 feet above base flood elevation. Mr. Garrod stated that roads will only be required to be at base flood elevation. Supervisor Russell asked if the County Engineer required the same elevation of roads as what is required in the amended ordinance. Mr. Scott Young, County Engineer, stated his department does require that all roads be at base flood elevations.

Mr. Garrod stated he worked with Mr. Jody Neyman to make the amendments required by FEMA to the DeSoto County Code of Ordinances.

Mr. Neyman stated the amendment to the ordinance is basically what is required by FEMA. Supervisor Medlin asked how many areas were actually studied in DeSoto County. Mr. Garrod stated that areas in Olive Branch and Southaven were studied and that a current study is being done on the Coldwater basin. There was discussion of how these studies affected the change in the new Flood Insurance Rate Map (FIRM). Ms. Vanessa Lynchard stated the new FIRM was presented to the Board around this time last year to go over and begin considering for adoption. Mr. Nowak, Board Attorney, stated he would assume they use some type of calculations to determine changes to the flood elevations in areas not studied. Mr. Young stated they also use information from the Road Department as well as LIDAR Maps to determine what changes need to be made.

Supervisor Caldwell asked if there was anyone to speak for or against this item. There was no one. Supervisor Gardner asked about Section E of the amended ordinance, more specifically if it allowed for anyone who built before the ordinance was passed to be grandfathered in. Mr. Neyman stated that Section E will allow for anyone who built before the ordinance amendment was approved to be grandfathered in. Supervisor Russell asked if a property is heavily damaged will the land owner be able to rebuild. Mr. Neyman stated as far as the County and FEMA is concerned they would be able to rebuild, but if a house is destroyed as a result of a flood event, it may be difficult for the homeowner to receive flood insurance, or obtain a loan as banks are becoming wary of loaning for construction on properties that have a history of flood events.

Supervisor Gardner asked how the County will get out the word that the Flood Insurance Rate Map and DeSoto County Code of Ordinance has been amended. Mr. Garrod stated that the public hearings to consider the adoption of both the map and the ordinance were advertised in two local newspapers as well as being posted on the County’s website.

Supervisor Russell made a Motion to approve adoption of an amendment to Chapter 14 of the DeSoto County Code of Ordinance, Subdivision III Flood Hazard Reduction (Flood Plain Management and Flood Damage Prevention) and to adopt the new Flood Insurance Rate Map (FIRM), as more fully set forth in Exhibit I.1.A. Supervisor Medlin seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

See Exhibit I.1.A

Supervisor Lee made a Motion to close the Public Hearing to consider adoption of an amendment to Chapter 14 of the DeSoto County Zoning Regulation, Subdivision III Flood Hazard Reduction (Flood Plain Management and Flood Damage Prevention); adopting the new Flood Insurance Rate Map (FIRM) and related based flood elevations. Supervisor Russell seconded the Motion.

THE FOLLOWING ACTION WAS TAKEN ON THIS MATTER:

FIRST DISTRICT SUPERVISOR, JESSIE MEDLIN	<u>YES</u>
SECOND DISTRICT SUPERVISOR, MARK GARDNER	<u>YES</u>
THIRD DISTRICT SUPERVISOR, BILL RUSSELL	<u>YES</u>
FOURTH DISTRICT SUPERVISOR, LEE CALDWELL	<u>YES</u>
FIFTH DISTRICT SUPERVISOR, HARVEY LEE	<u>YES</u>

J. EXECUTIVE SESSION

The executive session portion of these minutes is recorded under the portion of the minutes called “Executive Session”.

K. Other Items

1. Supervisor Mark Gardner made the motion and Supervisor Harvey Lee seconded the motion to approve hiring the Smith, Phillips, Mitchell, Scott and Nowak Law Firm to work with Jim Flanagan on an industrial prospect referenced as Project Franklin.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

2. Sheriff Bill Rasco said the MHP has a helicopter with a FLIR system which is an infrared radar camera. He said that Homeland Security bought the system at a cost \$250,000. Homeland Security is donating it to DeSoto County.

3. Sheriff Rasco said that Dr. Thompson, the doctor at the Jail, is working with a company to come to the jail to do dialysis. He said to get everything needed to set up the room may cost about \$5,000.

4. Sheriff Rasco expressed concerns about the high number of juveniles currently in the detention

center. He said he needs two more positions filled to comply with the state requirements. Sheriff Rasco said with these numbers, they have to fill the positions. Sheriff Rasco said there are 46 juveniles in the detention center. He said many of these juveniles are in for serious offenses. They are in the detention center on weapons charges. Sheriff Rasco said he does not have money in his budget to fill the positions.

Supervisor Lee Caldwell reminded the Board that the Sheriff’s personnel must be cut because of debt service.

County Administrator Vanessa Lynchard said she would look into it. It is a good chance it will decrease ending cash.

Sheriff Rasco said that two employees would cost \$89,000 for one year. He said if he hires two now it will cost \$38,000 through the end of the budget year. Ms. Lynchard reminded the Board that hiring two employees would be a recurring debt.

Supervisor Jessie Medlin said he would like to see the total that has been spent from ending cash since the budget was set last year.

Supervisor Mark Gardner asked Ms. Lynchard to work with Sheriff Rasco on finding money for this request.

Sheriff Rasco said they have worked too hard to get the jail certified and all it would take is one poor inspection by the State to set them back.

Sheriff Rasco said he would try to find two officers to work overtime.

5. Supervisor Mark Gardner asked for an update on purchasing acreage for the parking lot at the jail. Ms. Lynchard said she would send an update to the Board.

Supervisor Gardner asked how many parking spaces can be put on 2 acres of land. Ms. Lynchard said she would check to see how many parking spaces can be put on 2 acres and 3 acres.

Supervisor Mark Gardner made the motion and Supervisor Jessie Medlin seconded the motion for the County Administrator to work with the Road Manager regarding parking spaces; to make an offer up to 3 acres depending on the terrain at a price halfway between the county appraisal and the property owner’s appraisal.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>
Supervisor Harvey Lee, Fifth District	<u>YES</u>

5. Supervisor Bill Rasco said there is a lot of trash and debris from constituents on Lakeside Drive off of Hwy 61. He said they are dumping on the right of way.

Road Manager Andy Swims said they will check into it.

Supervisor Lee Caldwell made the motion to recess the Board meeting until May 19, 2014 at 9:00 a.m. The motion was seconded by Supervisor Mark Gardner.

The motion passed by a vote as follows:

Supervisor Jessie Medlin, First District	<u>YES</u>
Supervisor Mark Gardner, Second District	<u>YES</u>
Supervisor Bill Russell, Third District	<u>YES</u>
Supervisor Lee Caldwell, Fourth District	<u>YES</u>

Supervisor Harvey Lee, Fifth District

YES

THIS the 5th day of May, 2014, these minutes have been read and approved by the DeSoto County Board of Supervisors.

Lee Caldwell, President
DeSoto County Board of Supervisors